

Hawkeye Heights Phase II Urban Revitalization Plan



Prepared by

Community Development Department
City of Council Bluffs, Iowa

Adopted by
City Council on February 22, 2016

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
INTRODUCTION	2
LEGAL DESCRIPTION OF AREA.....	4
PROPERTY OWNERS & ASSESSED VALUATIONS	5
EXISTING ZONING & PROPOSED LAND USE	5
PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES	5
RELOCATION PROVISIONS	7
OTHER PUBLIC ASSISTANCE	7
APPLICABILITY & TAX EXEMPTION SCHEDULE.....	7
APPLICATION AND REVIEW PROCESS.....	8
ATTACHMENT A: TAX PARCEL INFORMATION	10

INTRODUCTION

The Urban Revitalization Act empowers a municipality to designate an area appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing and residential development for low and moderate income families, including single or multifamily housing.

The City of Council Bluffs wishes to utilize property tax abatement incentives under the Urban Revitalization act to facilitate the construction of commercial facilities providing elderly housing and specialized Alzheimer's care in the community. The preparation and subsequent adoption of an Urban Revitalization Plan is required by the Iowa Code prior to the provision of property tax abatement.

Section 404.1 of the Iowa Code stipulates that the Council may, by ordinance, designate an area of the City as the revitalization area, if that area is classified as any of the following:

1. An area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime and which is detrimental to the public health, safety or welfare.
2. An area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety or welfare in its present condition and use.
3. An area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use.
4. An area which is appropriate as an economic development area as defined in Section 403.17(10) of the Iowa Code which states "an area of a municipality designated by the local governing body as appropriate for commercial and industrial enterprises, public improvements related to housing and residential development, or construction of housing

and residential development for low and moderate income families, including single or multifamily housing."

5. An area designated as appropriate for public improvements related to housing and residential development, or construction of housing and residential development, including single or multifamily housing.

The City of Council Bluffs concluded that the Hawkeye Heights Phase II Urban Revitalization Area meets the criteria of element 4. Consequently, on December 14, 2015, the City Council adopted Resolution No. 15-322, which directed staff to prepare a plan for the proposed revitalization area. Illustration 1 is the City Council Resolution.

Hawkeye Heights Phase II Urban Revitalization Plan

Illustration 1 – Resolution

RESOLUTION NO. 15-322

A RESOLUTION OF NECESSITY AND INTENT TO ESTABLISH AN URBAN REVITALIZATION AREA LEGALLY DESCRIBED AS LOT 1 OF HAWKEYE HEIGHTS SUBDIVISION PHASE II, CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA.

WHEREAS, the subject area is an appropriate area as defined in Sections 404.1.4 of the Iowa Code; and

WHEREAS, a proposal has been submitted for the construction of a commercial project on the vacant land; and

WHEREAS, a plan for the area must be developed in accordance with Section 404.2 of the Iowa Code; and

WHEREAS, thirty days notice of public hearing is required to be sent to all property owners and occupants within the area; and

WHEREAS, notice of public hearing is also required in accordance with Section 362.3 of the Iowa Code.

**NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

That the development of the area is necessary in the interest of the City and the area substantially meets the criteria of Section 404.1.4.

BE IT FURTHER RESOLVED

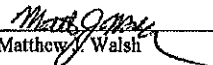
That the City Council directs staff to prepare a final plan pursuant to Section 404.2 of the Iowa Code by January 3, 2016.

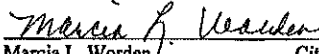
BE IT FURTHER RESOLVED

That the City Council directs the City Clerk to set this matter for public hearing on January 25, 2016.

**ADOPTED
AND
APPROVED:**

December 14, 2015


Matthew Walsh Mayor

ATTEST: 
Marcia L. Worden City Clerk

LEGAL DESCRIPTION

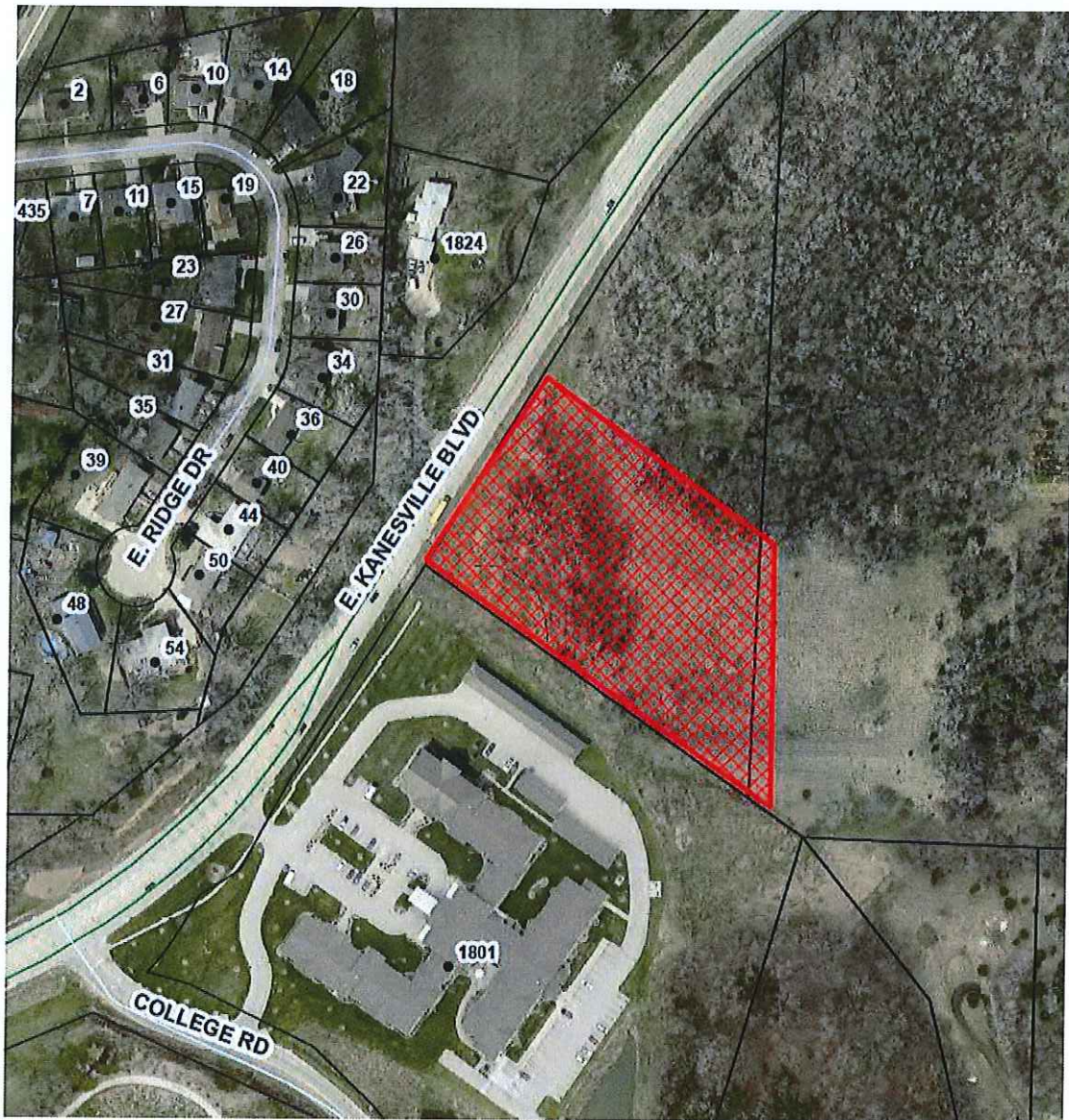
The Hawkeye Heights Phase II Revitalization Area is a tract of land containing the following legally described parcels:

Lot 1 of Hawkeye Heights Subdivision Phase II, City of Council Bluffs, Pottawattamie County, Iowa

Illustration 2 shows the location and the boundary of the Hawkeye Heights Phase II Urban Revitalization Area. The area is 3.00 acres.

Hawkeye Heights Phase II Urban Revitalization Plan

Illustration 2 - Boundary



PROPERTY OWNERS AND ASSESSED VALUES

The Hawkeye Heights Phase II Urban Revitalization Area will be comprised 3.0 acres of land owned by Agemark Corporation. Lot 1 of Hawkeye Heights Subdivision Phase II includes the southern portion of parcels 754320352001 and 754320352005. Land valuation for the new subdivision was not complete at the time of the plan completion and is estimated to be \$4,735. Estimated value is based on per acre land value for each parcel. This information was obtained from the records of the Pottawattamie County Assessor.

Parcel Number	Owner & Address	Land Valuation	Dwelling Valuation	Building Valuation	Total Valuation
754320352001	AgeMark Corporation 25 Azenida De Orinda Orinda, CA 94563	\$4,209*	\$0	\$0	\$4,209
754320352005	AgeMark Corporation 25 Azenida De Orinda Orinda, CA 94563	\$526**	\$0	\$0	\$526

* Value for Parcel 1 is \$1,530.40 per acre. Lot 1 will be approximately 2.75 acres of the parcel.

** Value for Parcel 2 is \$2,102.46 per acre. Lot 2 will be approximately 0.25 acres of the parcel.

EXISTING ZONING AND PROPOSED LAND USE

The Hawkeye Heights Phase II Urban Revitalization Area is currently zoned R-3/Low Density Multi-Family Residential. The R-3/Low Density Multi-Family District is intended and designed for development of lower density multifamily residential units.

Surrounding zoning includes R-1 District to the north, east and west and R-3 District to the south. Existing land uses abutting the proposed subdivision include undeveloped land to the north and east, Primrose Retirement Community to the south and Highway 6/East Kanesville Boulevard to the west. The Bluffs Tomorrow: 2030 Future Land Use Plan designates the subject property as High Density Residential. Illustration 3 depicts the existing on-site and surrounding zoning.

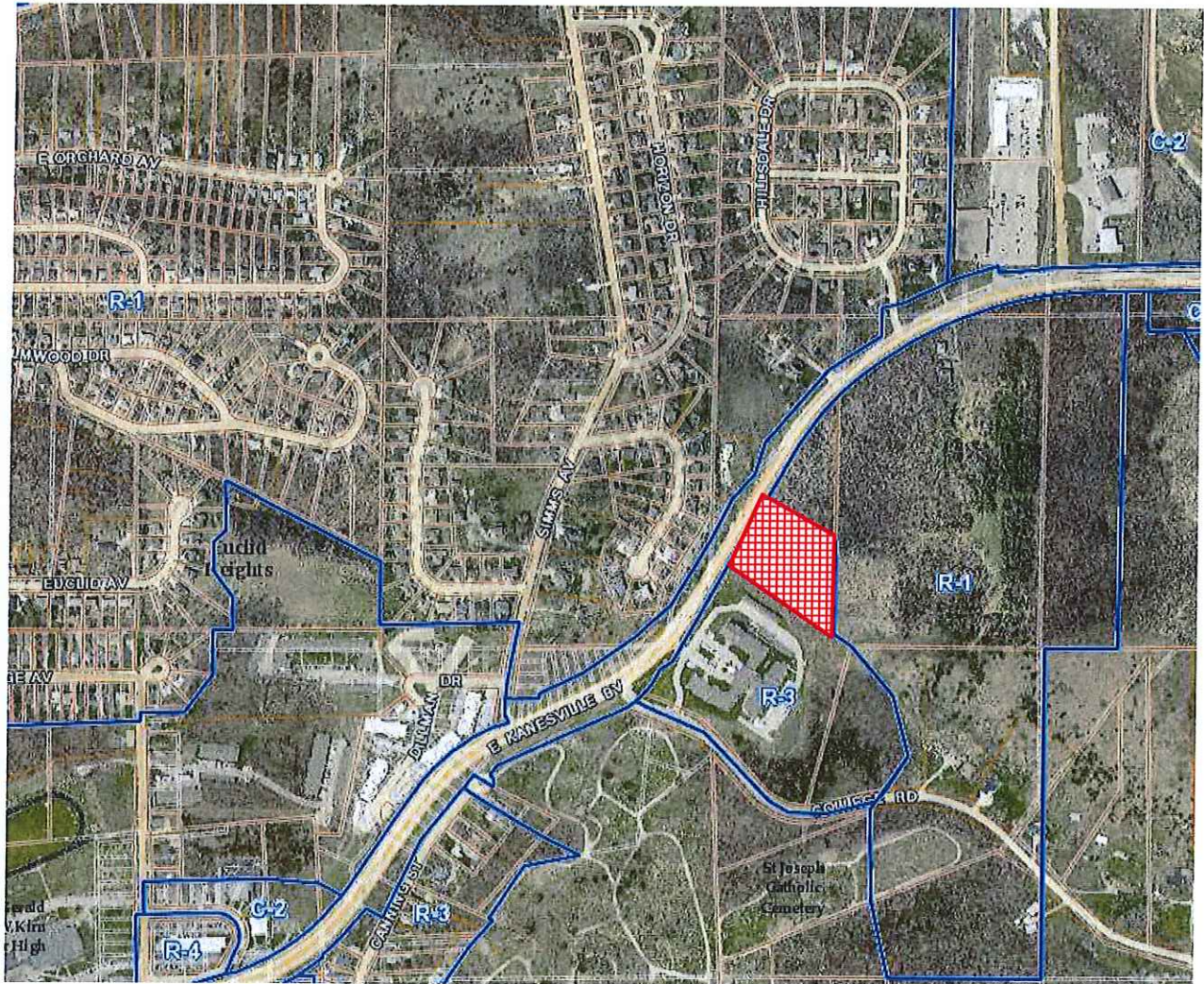
The Hawkeye Heights Phase II Urban Revitalization area is proposed to be multi-family. The proposed plan will develop a subdivision with a 34-unit senior memory care/assisted living facility that will to provide housing and specialized care for up-to 36 individuals with Alzheimer's and/or other dementia conditions.

PROPOSALS FOR IMPROVING OR EXPANDING CITY SERVICES

The proposed Hawkeye Heights Phase II Urban Revitalization Area is currently served with all municipal services (sanitary sewer, water and storm sewer). In order to accommodate the proposed project, a water main extension must be completed. All other municipal services are available and can accommodate the development. Electricity and gas service are also available to the project. The project is located adjacent to East Kanesville

Boulevard/Highway 6 which is adequate to handle the additional traffic generated by this proposed redevelopment.

Hawkeye Heights Phase II Urban Revitalization Plan
Illustration 3 – Zoning



RELOCATION PROVISIONS

The Hawkeye Heights Phase II Urban Revitalization area is currently developed with one residential dwelling and one additional building on the second parcel; however, the subdivision will not impact the structure. Therefore, the City will not displace any residential or non-residential tenants as a result of proposed improvements in the urban revitalization area.

OTHER PUBLIC ASSISTANCE

The Agemark Senior Living (Developer) has submitted a proposal to develop the subdivision with a 34-unit senior memory care/assisted living facility that will provide housing and specialized care for up-to 36 individuals with Alzheimer's and/or other dementia conditions. With the exception of property tax abatement, no other public assistance has been requested or proposed.

APPLICABILITY AND TAX EXEMPTION SCHEDULE

1. Eligibility - The Hawkeye Heights Phase II Urban Revitalization Plan will apply to commercial and multi-family residential (12 or more units).

Both new construction and rehabilitation of existing structures will be eligible for tax abatement under the plan. Rehabilitation may include renovation of a structure to bring it to code standards, remodeling and expansion. New construction of multi-family structures containing 12 or more units or the renovation of existing multi-family properties containing 3 or more units will also be eligible for property tax exemption under the plan.

2. Term - The term of this Plan shall be until December 31, 2030 or amended by City Council.

3. Commercial and Industrial

Ten Year - All eligible commercial and industrial real estate is eligible to receive a partial exemption from taxation on the actual value added by the improvements. The exemption is for a period of ten years. The amount of the partial exemption is equal to a percent of the actual value added by the improvements, determined as follows:

- a. For the first year, eighty percent.
- b. For the second year, seventy percent.
- c. For the third year, sixty percent.
- d. For the fourth year, fifty percent.
- e. For the fifth year, forty percent.
- f. For the sixth year, forty percent.
- g. For the seventh year, thirty percent.
- h. For the eighth year, thirty percent.

- i. For the ninth year, twenty percent.
- j. For the tenth year, twenty percent.

-OR-

Three Year - All eligible commercial and industrial real estate is eligible to receive a one hundred percent exemption from taxation on the actual value added by the improvements. The exemption is for a period of three years.

4. Multi-Family New Construction (12 or more units) - All eligible multi-family construction shall be eligible to receive a 100% exemption for a period of four years.

5. Multi-Family Rehabilitation (3 or more units) - All eligible multi-family rehabilitation projects shall be eligible to receive a 100% exemption for a period of ten years.

6. Improvements - Improvements shall include commercial and industrial rehabilitation and additions to existing structures as well as new construction on vacant land or on land with existing structures. Improvements involving multi-family projects shall include new construction of projects resulting in 12 or more units or the rehabilitation of existing multi-family projects containing 3 or more units (assessed as commercial property). In addition, all improvements must result in the following increases in value:

- For non-residential property, improvements must increase the actual value of the structure by at least 15%. If more than one building is located on the property, the 15% increase requirement applies only to the structure or structures upon which the improvements were made.
- For residential property, the improvement must increase the actual value of the structure by at least 10%.
- If no structures were located on the property prior to the improvements, any improvements may qualify.

7. Actual Value - Actual value added by the improvements means the actual value added as of the first year for which the exemption was received. However, if such construction was begun one year prior to the adoption by the City of a Plan of Urban Revitalization pursuant to Chapter 404 of the Iowa Code, the value added by such construction, shall not constitute an increase in value for purposes of qualifying for the exemptions listed in this section.

APPLICATION AND REVIEW PROCESS

Upon completion of all improvements made within the assessment year for which the exemption is first claimed, the owner shall use the following procedure to secure the tax exemption.

1. The applicant requests a conference with the Community Development Department to discuss applicability of the request to established policy and review the application process.
2. The applicant completes the required forms and submits them along with all required data by January 31st to the Community Development Department. As part of the acceptance procedure, the Community Development Department shall review the submission for completeness. If there is a deficiency, the Department shall notify the applicant within seven (7) days.
3. The Department shall review the application according to the following criteria: 1) conformance with the Urban Revitalization Plan; 2) a finding that the site is within a designated area; 3) a finding that the work has been completed within the time required to qualify for abatement in the assessment year; 4) a finding that the application is consistent with Chapter 404 of the Iowa Code; and 5) a finding that the application is consistent with all applicable city codes and ordinances.
4. Upon review of the application, the Community Development Department will prepare a recommendation and schedule the proposal for City Council consideration.
5. By resolution, the City Council will accept the application and improvements as consistent with the intent of this plan and state law.
6. The City Council will then direct the Community Development Department to transmit a copy of the case file to the Assessor's Office by March 1st as required by Chapter 404 of the Iowa Code.

Attachment A

7543 20 352 001

--- Permanent Property Address ---
NICOLINI, MARY ANN

----- Mailing Address -----
NICOLINI, MARY ANN
FIRST NATIONAL BANK C/O NICOLINI, KATHLEEN
14010 FNB PARKWAY SUITE 200
OMAHA, NE 68154

District: 001

===== REAL ESTATE TAX =====
Click [here](#) for treasurer real estate tax information.

===== LEGAL DESCRIPTION =====
CO BLUFFSS AGRI 20-75-43 AUD SUB SW SW PT LTS 5 & 6 S HWY LYING NE LINE COMM
32.25'N SE COR LT 6TH NWLY500.52' TO HWY(INCLUDES PARCELS 1& 2)

===== ASSESSED VALUE =====
land dwelling land building total ag acres year class

\$9,565 \$0 \$0 \$9,565 6.250 2014 A
\$9,565 \$0 \$0 \$9,565 6.250 2015 A

===== OWNERS =====
1 D NICOLINI, MARY ANN book/page: 107/7924 D

===== EXEMPTIONS & CREDITS =====
2014 AGLAND \$8.35

===== ASSESSMENT DATA =====
PDF: 3 MAP: 8

Sale Date	Amount	Code	Book/Page	
10/20/2006	1	D050	107/07922	
10/20/2006	1	D050	107/07924	
07/21/2006	0	D018	107/05761	multiple parcel sale
07/21/2006	0	D050	107/05761	multiple parcel sale
05/28/1991	1	D001	091/27373	multiple parcel sale
05/28/1991	86500	D017	091/27374	multiple parcel sale

Interior Listing: Vacant Date Listed: 10/18/2006 SLW Date Reviewed:
10/18/2006 SLW

LAND.....272250 sqFt 6.25 acres



7543 20 352 005

--- Permanent Property Address ---
NICOLINI, MARY ANN
2125 E KANESVILLE BLVD
KATHLEEN
COUNCIL BLUFFS, IA 51503

----- Mailing Address -----
NICOLINI, MARY ANN
FIRST NATIONAL BANK C/O NICOLINI,
14010 FNB PARKWAY SUITE 200
OMAHA, NE 68154

=====
District: 001 CO BLUFFS AG/CO BLUFFS SC

===== REAL ESTATE TAX =====

Click [here](#) for treasurer real estate tax information.

===== LEGAL DESCRIPTION =====

CO BLUFFS AGRI 20-75-43 AUD SUB SW SW LT 1 & AUD SUB NW SW PT LTS 1 & 2 LYING
SE OF RD EXC 59.71'X
50.85' X 32.25' TRISW COR LT 1 SW SW

===== ASSESSED VALUE =====

land	dwelling	land	building	total	ag acres	year	class
\$47,852	\$101,123		\$780	\$149,755	22.760	2014	A
\$47,852	\$101,123		\$780	\$149,755	22.760	2015	A

===== OWNERS =====

1 D NICOLINI, MARY ANN book/page: 107/5761 D

===== EXEMPTIONS & CREDITS =====

2014 AGLAND	\$41.76
2014 HOMESTEAD	\$4,850.00
2014 MILITARY	\$1,852.00
2015 HOMESTEAD	\$4,850.00
2015 MILITARY	\$1,852.00

===== ASSESSMENT DATA =====

PDF: 3 MAP: 8

Sale Date	Amount	Code	Book/Page	
07/21/2006	0	D050	107/05761	multiple parcel sale
05/28/1991	1	D001	091/27373	multiple parcel sale
05/28/1991	86500	D049	091/27374	multiple parcel sale
02/18/1970	0	D018	PROB #19185	

Interior Listing: Outbuildings Only Date Listed: 01/07/2002 PR Date
Reviewed: 01/07/2002 PR

LAND.....991425 sqFt 22.76 acres

Residence 1 of 1 -- Single-Family

BUILDING.....1 1/2 Story Frame 6/1 Rooms Above/Below 3/0 Bedrooms

Above/Below 672 SF Base AC

Built:1920 Above Normal Bsmt: Full Bsmt Finish: 300 SF

Attic Finish: None

FINISH.....Foundation: C Blk Exterior: Alum Roof: Asph / Gable

Interior: Plas / Panel Flooring: Carpet / Vinyl

ADDITIONS....Addition 1: 364 SF 1 Story Frame Built: 1920 AC Bsmt SF:
364

PLUMBING.....2 Full Bath

BUILT INS....1 Dishwasher

PORCHES.....224 SF 1S Frame Enclosed 224 SF Bsmt

GARAGES(1)...1 Detached

Garage 1: 576 SF Det Frame 24x24 Built: 2001

Outbuilding Type / Description

	Dimension	Cap/Area	Year
1 Barn - Small/FR	28 x 32	896 SF	1940
2 Lean-To/FR	20 x 32	640 SF	1940
3 Shed/C BLK	17 x 20	340 SF	1930

